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Date: February 4, 2004 **Number of pages (including cover):**26
To: Jane Zara, Art Unit 1635, U.S. Patent and Trademark Office
Fax No.: 703.872.9306
Serial No.: 09/241,653
Title: METHODS FOR REGULATING HEMATOPOIESIS USING CPG OLIGONUCLEOTIDES
From: Alan W. Steele, M.D., Ph.D.
Direct dial: 617.573.7857
Our File #: C1041.70002US00

CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being transmitted via facsimile to the attention of Examiner Jane Zara, FAX number 703.872.9306, at the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, in accordance with 37 C.F.R. §1.6(d), on the 4th day of February, 2004.

Alan W. Steele, M.D., Ph.D.

ORIGINAL DOCUMENTS WILL NOT BE MAILED.

MESSAGE: Transmitted herewith is/are (1) Transmittal x2; (2) Amendment and Request for Interference; and (3) Petition for One-Month Extension of Time.

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DOCKET NO.: C1041.70002US00

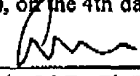
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wagner et al.
Serial No.: 09/241,653
Confirmation No.: 8996
Filed: February 2, 1999
For: METHODS FOR REGULATING HEMATOPOIESIS USING
CPG OLIGONUCLEOTIDES

Examiner: Zara, Jane
Art Unit: 1635

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Alan W. Steele, M.D., Ph.D., Reg. No. 45,128

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

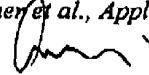
Transmitted herewith are the following documents:

- ☒ Amendment and Request for Interference
- ☒ Petition for One-Month Extension of Time

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617)720-3500, Boston, Massachusetts.

No check is enclosed to cover the extension fee. The Commissioner is hereby authorized to charge the amount of the fee to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Wagner et al., Applicant

By: 
Alan W. Steele, M.D., Ph.D., Reg. No. 45,128
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Docket No.: C1041.70002US00
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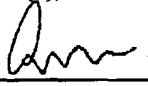
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Alan W. Steele, M.D., Ph.D., Reg. No. 45,128

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND REQUEST FOR INTERFERENCE

Sir:

This paper is filed in response to the non-final office action mailed October 6, 2003 (Paper No. 34) in the above-captioned patent application. A shortened statutory period for reply was set to expire three months from the mailing date of the office action. A petition for a one-month extension of time, up to and including February 6, 2004, along with authorization to charge the required fee to the account of the undersigned, is filed herewith. This response is thus timely filed.

Please amend the application as indicated below.

Amended claims begin on page 2.

Remarks begin on page 14.

Request for Interference begins on page 20.